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Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

In the Matter of )  
)  
Amendment of Section 73.202(b) ) MM Docket No.  
Table of Allotments, ) RM No.  
FM Broadcast Stations )  
(Long Beach and Shallotte, )  
North Carolina) )

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

To: Chief, Allocations Branch

**PETITION FOR RULE MAKING**

Morfield, L.L.C., the permittee of WAZO(FM), Channel 252C3, Shallotte, North Carolina, by its attorneys and pursuant to Section 1.420(i) of the Commission's Rules, hereby petitions the Commission to amend the Table of Allotments for FM Broadcast Stations, 47 C.F.R. §73.202(b), to reassign Channel 252C3 from Shallotte, North Carolina to Long Beach, North Carolina, as Long Beach's first local transmission service; and to modify the permit for WAZO(FM) to specify operation on Channel 252C3 at Long Beach, North Carolina.

In support hereof, the following is respectfully shown:

1. Section 1.420(i) of the Commission's Rules provides for modification of a station's license to specify a new community of license, by a rule making proceeding exempted from the filing of competing expressions of interest, where (1) the amended allotment would be mutually exclusive with the present allotment; (2) the allotment to the new community would serve the Commission's allotment priorities; and (3) the change would not deprive a community of its sole local transmission outlet. Amendment of the

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Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License, 4 FCC Rcd 4870 (1989), recon. granted in part, 5 FCC Rcd 7094 (1990). In accordance with the foregoing, Morfield, L.L.C. respectfully submits that adoption of its instant proposal would result in a preferential arrangement of FM allotments.

2. An allotment on Channel 252C3 at Long Beach would be mutually exclusive with the present allotment of Channel 252C3 at Shallotte. Long Beach is located a distance of only 25 kilometers from Shallotte, whereas Section 73.207(c) of the Commission's rules would require a 153 kilometer separation between co-channel Class C3 allotments.

3. A Long Beach allotment would afford Long Beach its first local transmission service, thus furthering a top allotment priority. Revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1982).<sup>1/</sup>

4. Reallotment of Channel 252C3 from Shallotte to Long Beach would not deprive Shallotte of its only local aural service. Shallotte will continue to receive local FM service from WLTT(FM) on Channel 279C3 and WCCA(FM) on Channel 292A; and local AM service from WVCB(AM). Furthermore, as WAZO(FM) has not yet been constructed, reallotment of Channel 252C3 from Shallotte to Long Beach would not constitute removal of a service that the public has become reliant upon. Bagdad and Chino Valley, Arizona, 11 FCC Rcd 14459 (Alloc. Br., 1996).

5. The Engineering Statement attached hereto demonstrates that Channel 252C3 can be reallotted to Long Beach without imposition of a site restriction. The proposed

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<sup>1/</sup>The allotment priorities are: (1) First full-time aural service; (2) Second full-time aural service; (3) First local service; and (4) Other public interest matters. Co-equal weight is given to priorities (2) and (3).

allotment coordinates for Channel 252C3 at Long Beach are 33-56-49 North Latitude, 78-00-04 West Longitude.

6. Long Beach is incorporated and is attributed with a population of 3816 in the 1990 U.S. Census.<sup>2/</sup> Accordingly, Long Beach is an appropriate "community" for purposes of the proposed allotment.

7. In the event the Commission adopts the instant proposal for amendment of the FM Table, Morfield, L.L.C. intends to apply for modification of WAZO(FM)'s construction permit to change license community to Long Beach.

8. Based on the foregoing, it is respectfully submitted that amendment of the FM Table of Allotments as follows would serve the public interest:

| <u>Community</u> | <u>Present Channel</u> | <u>Proposed Channel</u> |
|------------------|------------------------|-------------------------|
| Long Beach, NC   | - - -                  | 252C3                   |
| Shallotte, NC    | 252C3, 279C3, 292A     | 279C3, 292A             |

WHEREFORE, the premises considered, Morfield, L.L.C. respectfully requests the Commission (1) to commence a rule making proceeding reallocate Channel 252C3 from Shallotte, North Carolina to Long Beach, North Carolina, exempted from competing


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<sup>2/</sup>According to the North Carolina Office of State Planning, the population of Long Beach had increased to 5072 by 1996, reflecting growth of 33%.

expressions of interest; and (2) to modify the construction permit for WAZO(FM) to specify operation on Channel 252C3 at Long Beach, North Carolina.

Respectfully submitted,

**MORFIELD, L.L.C.**

By:   
Ellen S. Mandell  
Its Attorney

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July 14, 1998

**WAZO**  
**Morfield, L.L.C.**  
**Shallotte, North Carolina**

**Engineering Exhibit**

**July 1998**

WAZO  
Morfield, L.L.C.  
Shallotte, North Carolina

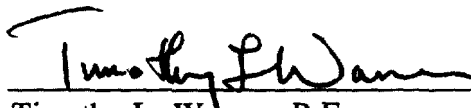
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WAZO  
Morfield, L.L.C.  
Shallotte, North Carolina

Declaration

I declare, under penalty of perjury, that I am a technical consultant to broadcasting and other communications systems, that I have over twenty-five years of experience in the engineering of broadcast and other communications systems, that I am familiar with the Federal Communications Commission's Rules found in the Code of Federal Regulations Title 47, that I am a Professional Engineer registered in North Carolina, that I have prepared or supervised the preparation of the attached Engineering Exhibit for Morfield, L.L.C., and that all of the facts therein, except for facts of which the Federal Communications Commission may take official notice, are true to the best of my knowledge and belief.



Timothy L. Warner, P.E.  
87 North Liberty Street  
Asheville, North Carolina 28801  
(828) 258-1238  
6 July 1998

**WAZO**  
**Morfield, L.L.C.**  
**Shallotte, North Carolina**

**Narrative**

This exhibit is in support of a petition of Morfield, L.L.C. permittee for WAZO (FM), a new FM station allocated to Shallotte, North Carolina. The purpose of this petition is to change the city of license from Shallotte, North Carolina, to Long Beach, North Carolina.

**Special Reference Site**

Figure 1 shows a reference site for the proposed allocation for Long Beach, North Carolina. Figure 1 shows the required separations from the closest facilities, identifying the area which is fully spaced from all existing facilities or allocations. The city grade coverage contour from the reference site and the corporate boundary of Long Beach are shown.

The reference coordinates are for an existing 85.3 meter cellular telephone tower. In the vicinity are additional towers, stacks and tanks. Approval from the FAA has not been sought. However, there are additional towers and structures in the area which exceed 100 meters elevation above ground level. FAA approval is likely for the reference site or for other sites in the fully spaced area.

**Community of License**

Figure 1 shows the 70 dBu F(50,50) contour for the reference facilities. The boundary of Long Beach is shown. As clearly demonstrated, the entire community of Long Beach is within the 70 dBu F(50,50) principal community contour. The contour was prepared by computing the height above average terrain and distance to the contour at 1 degree horizontal increments. Terrain data was extracted from the Defense Mapping agency 3 arcsecond data set.



There are no terrain features between the authorized site and the community of Long Beach which could obstruct the delivery of signal to the community.

### **Allocations**

An allocations table is presented as page 4 of this exhibit. The reference facilities are fully spaced with respect to all allocations. The required separations are shown on Figure 1.

### **Environmental Considerations**

The proposed facilities, when evaluated under worst case methods in OET-65, will create  $0.02 \text{ mW/cm}^2$  at ground level, which is 10% of the maximum permitted  $0.20 \text{ mW/cm}^2$  for public/uncontrolled exposure. A multi-bay antenna is proposed, which will significantly reduce the downward radiation.

Should the facilities be constructed on the shared tower used for the reference site, the permittee will enter into a shared site use agreement which will stipulate that the permittee or licensee will remove power from antenna when personnel are on the tower in the vicinity of the antenna to avoid exposing workers to non-ionizing radiation.

# Allocation Table Shallotte, North Carolina

CH# 252C3 - 98.3 MHz

Reference Site

INTERFERENCE CHECKS WITH WAZO Reference, LONG BEACH, NC at N. LAT. 33 56 49 W. LNG. 78 00 04

PWR = 25 kW H.A.A.T. = 100 M C.O.R. = 111 M AMSL

Protected F(50-50) 60 dBu = 38.53 km

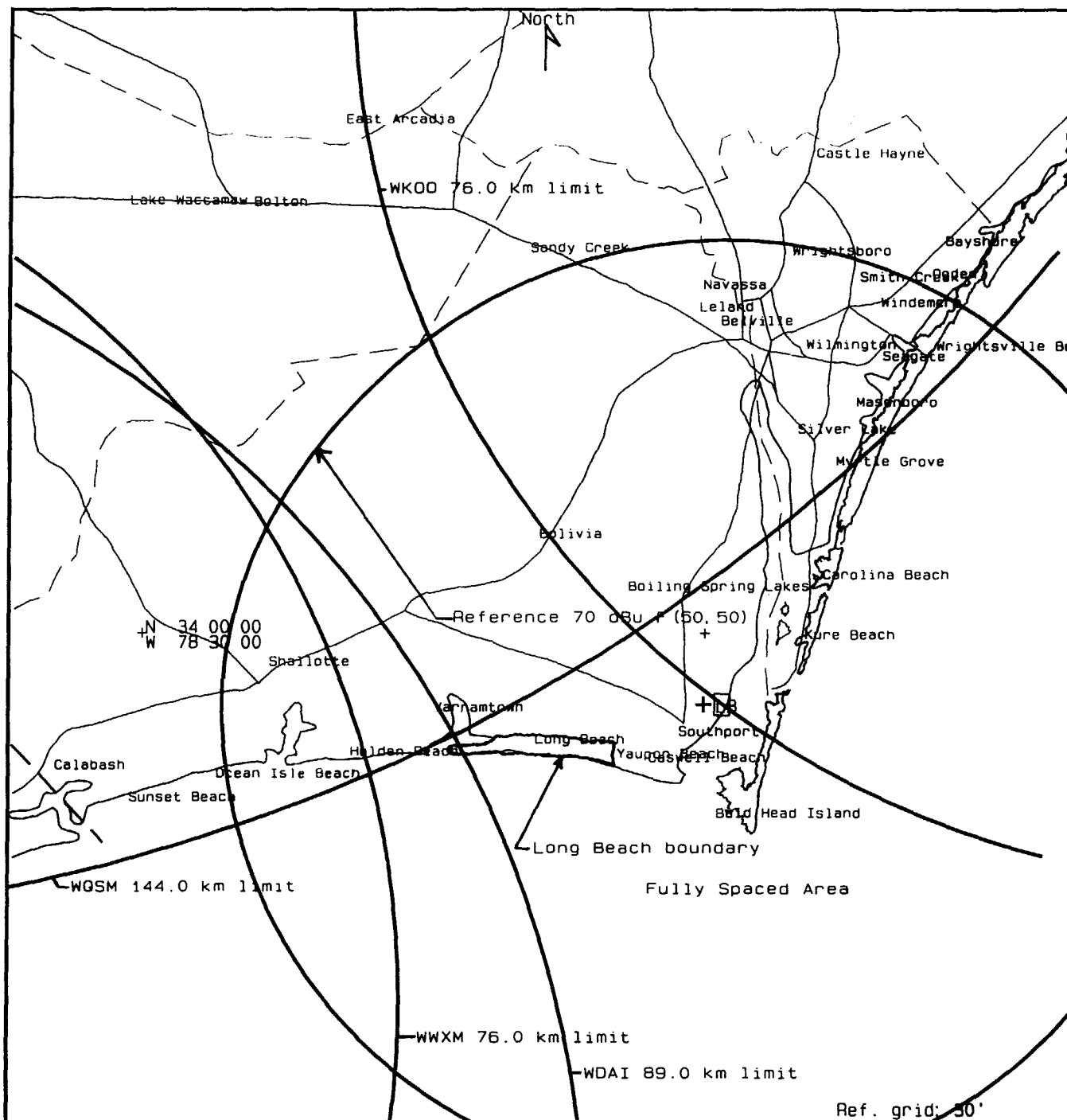
F(50-10) 40 dBu = 113.52 54 dBu = 60.24 80 dBu = 13.1 100 dBu = 3.99

F(50-10) 37 dBu = 130.44 51 dBu = 69.38 77 dBu = 15.42 97 dBu = 4.86

F(50-10) 34 dBu = 146.14 48 dBu = 80.13 74 dBu = 18.14 94 dBu = 5.79

| CH#<br>CITY   | CALL   | TYPE<br>STATE | * IN *<br>LICENSEE         | * OUT *  | BEARING<br><--- | DISTANCE  | LAT<br>LNG. | PWR(kW)<br>HAAT(M) | INT(km)<br>COR(M) | PRO(km)<br>FILE # |
|---|--------|---------------|----------------------------|----------|-----------------|-----------|-------------|--------------------|-------------------|-------------------|
| 249C1<br>Garden City  | WWXM.C | CP CN         | 76.0 R                     | 28.9 M   | 248.4           | 104.94 km | 33 35 45    | 100.00             | 8.64              | 65.56             |
|   |        | SC            | Root Communications Licens |          | 68.4            | 65.21 Mi  | 79 03 11    | 219.0              | 221               | BPH980420ID       |
| FCC Comment > Change of Community from Georgetown, SC per D96-196 |        |               |                            |          |                 |           |             |                    |                   |                   |
| 249C1<br>Georgetown   | WWXM   | LI ZCN        | 76.0 R                     | 28.7 M   | 248.0           | 104.72 km | 33 35 27    | 100.00             | 7.10              | 58.52             |
|   |        | SC            | Coastline Communications o |          | 68.0            | 65.07 Mi  | 79 02 53    | 150.0              | 152               | BLH940922KB       |
| FCC Comment > *To Channel 249C1, Garden City, SC per D96-196      |        |               |                            |          |                 |           |             |                    |                   |                   |
| 251C1<br>Fayetteville   | WQSM   | LI CN         | 144.0 R                    | 8.0 M    | 326.1           | 151.99 km | 35 04 46    | 100.00             | 100.54            | 68.49             |
|   |        | NC            | Cape Fear Broadcasting Com |          | 146.1           | 94.44 Mi  | 78 55 58    | 253.0              | 307               | BLH871125KA       |
| 252A<br>Summerton   | WLJI   | LI CN         | 142.0 R                    | 76.5 M   | 263.9           | 218.53 km | 33 42 58    | 6.00               | 86.76             | 28.29             |
|   |        | SC            | Summer Town Partners       |          | 83.9            | 135.79 Mi | 80 20 44    | 100.0              | 142               | BLH961225KB       |
| 252A<br>Washington  | WCZI   | LI CN         | 142.0 R                    | 50.0 M   | 26.8            | 192.01 km | 35 29 14    | 1.35               | 72.53             | 24.03             |
|   |        | NC            | New East Communications, I |          | 206.8           | 119.31 Mi | 77 02 42    | 149.0              | 159               | BLH890227KF       |
| 252C3<br>Shallotte  | WAZO.C | CP ZCN        | 153.0 R                    | -135.5 M | 294.0           | 17.52 km  | 34 00 39    | 25.00              | 113.52            | 38.53             |
|   |        | NC            | Quill Corporation, L.L.C.  |          | 114.0           | 10.89 Mi  | 78 10 28    | 100.0              | 111               | BPH920402ME       |
| 253A<br>Pawleys Island  | WDAI   | LI CN         | 89.0 R                     | 19.6 M   | 245.3           | 108.55 km | 33 32 07    | 6.00               | 43.29             | 28.29             |
|   |        | SC            | Hurricane Communications,  |          | 65.3            | 67.45 Mi  | 79 03 50    | 100.0              | 101               | BLH931112KA       |
| 254C1<br>Jacksonville   | WKOO   | LI CN         | 76.0 R                     | 0.9 M    | 37.6            | 76.90 km  | 34 29 38    | 100.00             | 33.38             | 72.13             |
|   |        | NC            | Winfas, Inc.               |          | 217.6           | 47.78 Mi  | 77 29 18    | 298.0              | 303               | BLH890206KB       |

Required separation (R) and margin (M) in kilometers are shown in columns headed IN and OUT.



CVR (tm): wazo.map

Propagation model: FCC-FCC

Time: 50.00% Loc: 50.00% Margin: .0 dB

Climate: Continental Temperate

Gndcvr: None

Atm. factor: None

K Factor: 1.333

RX Antenna: Omni

Height: 9.1 mtrs AGL Gain: .0 dBd

Field strength (at remote)

60.0 dBuV/m

Minimum threshold level: -150.0 dBmW

| Site   | Ant Elv<br>AMSL<br>(mtrs) | ERPd<br>(dBW) | Ant. Type<br>/Orient. | Coordinates   |
|--------|---------------------------|---------------|-----------------------|---------------|
| LB     | * 102.0                   | 43.98         | OM-H                  | N 33 56 49.00 |
| grp: 1 | 100.0000 MHz              |               |                       | W 78 0 4.00   |

KILOMETERS  
10 0 10 20

**WAZO**

Long Beach Reference Site

980701

Figure 1

Ref. grid: 50'